

REMARKS

Claims 1-11 are pending in the present application. In the above amendments, claims 1, 2, 5, 7, 8, 9 and 11 have been amended, and claim 10 has been canceled without prejudice.

Examiner has rejected claims 1-9 and 11 under § 102(b) based on Teder et al (U.S. 5,828,659). In rejecting the claims, Examiner notes, the cited reference discloses “transmitting the downlink data frame time offset information from a cell to the mobile station”, and such information is included in an Active Set Update message from the cell to the mobile station. Applicant has reviewed the cited reference, and does not find any recitation or suggestion of transmitting the downlink data frame time offset information from a cell to the mobile station, and such information is included in Active Set Update message from the cell to the mobile station.

The cited reference although is concerned with the data frame time offset, it fails particularly to disclose or suggest that the down link data frame time offset is needed to be transmitted to the mobile station. The reference notes parameters *lanada1* and *landa2* as those down link data frame time offsets in each base station, but fails to disclose that such data frame time offset is transmitted to the mobile station. In fact, the solution provided by the reference does not foresee such a need since it assumes the mobile station is able to soft combine the data symbols regardless. At various places in the reference, and in particular Col. 10, the reference states the assumption that the delay difference needs to be bounded within a limit, otherwise, the transmission of data from each base station in accordance with the down link data frame time offset may occur in two different time frames. There is no way for the mobile station to know, in accordance with the reference, the determined down link data frame time offset in order to perform soft combining operation of received data symbols from at least two base stations. Therefore, the mobile station would be lost in its timing to decide when and what data symbols need to be combined in the soft combining process of down link transmissions of a data frame from two different base stations. The reference fails to disclose or suggest transmitting the downlink data frame time offset information from a cell to the mobile station, as recited in claim 1. Similar argument is made in support of independent claims 7 and 11.

Accordingly, claims 1-9, and 11 are in a condition for allowance. Claim 10 is canceled without prejudice.

Drawings

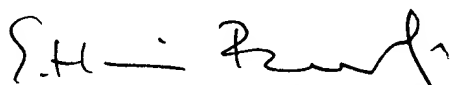
Applicant has concurrently filed herewith a Letter to the Official Draftsperson submitting formal drawings to replace the originally filed informal drawings, including corrected drawing informalities indicated on Form PTO-948 attached to the Office Action.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: January 20, 2004

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